

Justice System Appropriations Bill House File 2660

FINAL ACTION

April 23, 2008

An Act relating to and making appropriations to the justice system.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

LSA Contacts: Beth Lenstra (1-6301) and Jennifer Acton (1-7846)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 2660 JUSTICE SYSTEM APPROPRIATIONS BILL

FUNDING SUMMARY

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$528.9 million from the General Fund and 6,344.5 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$6.6 million and an increase of 59.4 FTE positions compared to the estimated FY 2008 General Fund appropriations.
- Makes the following significant General Fund changes for FY 2009:
 - *Department of Justice:*
 - *Office of the Attorney General:* \$47,000 general reduction. (Page 1, Line 7)
 - *Children in Dissolution Proceedings Pilot Project:* \$50,000 decrease to eliminate the pilot project.
 - *Office of the Consumer Advocate:* \$16,000 general reduction. (Page 3, Line 4)
 - *Department of Corrections (DOC):* An increase of \$7.2 million and 55.4 FTE positions compared to the estimated FY 2008 General Fund appropriation. The change includes:
 - \$3.5 million increase for food, fuel, pharmacy, and contract cost increases. (Page 3, Line 24 through Page 5, Line 5 and Page 9, Line 15 through Page 10, Line 20)
 - \$444,000 increase to replace expired federal funds for a Drug Court and Dual Diagnosis Program in the First Community-Based Corrections (CBC) District Department and the Therapeutic Community Program at the Anamosa State Penitentiary. (Page 3, Line 28 and Page 9, Line 15)
 - \$250,000 and 5.0 FTE positions increase to add correctional officers at the Anamosa State Penitentiary. (Page 3, Line 28)
 - \$1.0 million and 12.0 FTE positions increase for the Sex Offender Treatment Program at the Mount Pleasant Correctional Facility and the Fifth CBC District Department. (Page 4, Line 16 and Page 9, Line 32)
 - \$232,000 decrease to the County Confinement appropriation to reflect actual FY 2007 expenditures for claims from counties for holding alleged violators. (Page 5, Line 6)
 - \$300,000 and 4.0 FTE positions increase to develop and implement offender re-entry programs in the First and Fifth CBC District Departments. (Page 9, Line 15 and Page 9, Line 32)
 - \$734,000 and 11.4 FTE positions increase for the Second CBC District Department for 26 additional beds in Fort Dodge. This amount represents a full year of operating costs. (Page 9, Line 23)
 - \$325,000 decrease to eliminate one-time costs in the Fifth and Sixth CBC District Departments. (Page 9, Line 32 and Page 10, Line 1)
 - \$1.5 million and 23.0 FTE positions increase for the Sixth CBC District Department to operate a mental health residential facility currently under construction. (Page 10, Line 1)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2660
JUSTICE SYSTEM APPROPRIATIONS BILL**

STUDIES AND INTENT LANGUAGE

- **Department of Public Defense, Military Division:** \$93,000 for nine months of the State's 25.0% required match to receive federal funds for the Readiness Center at Camp Dodge. (Page 14, Line 28)
- **Department of Public Safety:** A decrease of \$377,000, including:
 - An increase of \$276,000 and 2.0 FTE positions for Public Safety Administration. (Page 15, Line 28)
 - A decrease of \$608,000 and 3.0 FTE positions in the Division of Criminal Investigation (DCI). (Page 15, Line 33)
 - An increase of \$662,000 and 12.0 FTE positions for the Fire Marshal's Office. This includes merging the Fire Service Training Bureau appropriation and FTE positions into the Fire Marshal's Office (a decrease of \$837,000). (Page 17, Line 21)
 - An increase of \$143,000 for the Iowa State Patrol. (Page 17, Line 32)
- States the intent of the General Assembly to appropriate \$1.0 million from the General Fund in FY 2010 for Victims Assistance Grants. (Page 1, Line 27)
- Requires the Attorney General to use at least \$850,000 in forfeited property receipts for Victim Assistance Grants. (Page 2, Line 6)
- Requires the DOC to spend at least \$238,000 on the therapeutic treatment community program at the Anamosa State Penitentiary and \$140,000 on the Dual Diagnosis Program in the First CBC District Department. (Page 3, Line 32 and Page 9, Line 18)
- Requires the DOC to use at least \$300,000 in canteen receipts for the Corrections Education Program. Requires the DOC to spend at least \$300,000 more for the Corrections Education Program in FY 2009. (Page 6, Line 29)
- Requires the DOC to provide a smoking cessation program, if legislation is enacted restricting or prohibiting smoking on the grounds of correctional institutions. (Page 8, Line 21)
- Permits the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 13, Line 27)
- Permits the Iowa Law Enforcement Academy to annually exchange five vehicles returned to the State Fleet Administrator by the Department of Public Safety. (Page 13, Line 33)
- Adds language requiring the Homeland Security and Emergency Management Division to work in conjunction with the Department of Public Safety on the Fusion Program. (Page 15, Line 16)
- Authorizes an appropriation of no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2009 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 19, Line 24)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2660
JUSTICE SYSTEM APPROPRIATIONS BILL**

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

**EFFECTIVE DATE
ENACTMENT DATE**

- Permits the Iowa Law Enforcement Academy to charge Academy attendees more than half the cost of providing the basic training course, subject to Council approval. This change is repealed on June 30, 2009. (Page 19, Line 35)
- Requires the Board of Parole to develop and implement a Certificate of Employability by FY 2010. (Page 20, Line 7 and Page 21, Line 27)
- Creates a Central Warehouse Fund in the DOC and permits other State agencies and local governments to use the DOC Central Warehouse when it is operational. Requires the Department of Human Services to use the DOC Warehouse. (Page 20, Line 14 and Page 21, Line 11)
- Requires the Department of Public Health to develop educational programs to increase awareness and utilization of infection control practices in correctional facilities. (Page 20, Line 22)
- This Bill is effective July 1, 2008.
- This Bill was approved by the General Assembly on April 23, 2008.

House File 2660 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
7	25	4.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of Appropriation for Inmate Education Program
11	8	6	Nwthstnd	Sec. 8.39	Reallocation of Appropriations within the DOC and CBC District Departments
18	28	14.8	Nwthstnd	Sec. 8.33	Nonreversion of Volunteer Fire Fighter Training
18	33	14.8	Nwthstnd	Sec. 8.39	Reallocation of Department of Public Safety Appropriations
19	35	17	Nwthstnd	Sec. 80B.11B	Law Enforcement Academy Fees
20	22	20	Adds	Sec. 135.11(32), Code Supplement 2007	Infection Control Practices
20	30	21	Amends	Sec. 822.2(1)	Postconviction Relief
21	1	22	Amends	Sec. 904.108(4)	Personal Property Reimbursement
21	11	23	Adds	Sec. 904.118A	Department of Corrections Central Warehouse Fund
21	27	24	Adds	Sec. 906.19	Certificates of Employability

1 1 Section 1. DEPARTMENT OF JUSTICE.
 1 2 1. There is appropriated from the general fund of the
 1 3 state to the department of justice for the fiscal year
 1 4 beginning July 1, 2008, and ending June 30, 2009, the
 1 5 following amounts, or so much thereof as is necessary, to be
 1 6 used for the purposes designated:

1 7 a. For the general office of attorney general for
 1 8 salaries, support, maintenance, and miscellaneous purposes,
 1 9 including the prosecuting attorneys training program, victim
 1 10 assistance grants, office of drug control policy (ODCP)
 1 11 prosecuting attorney program, and odometer fraud enforcement,
 1 12 and for not more than the following full-time equivalent
 1 13 positions:
 1 14 \$ 9,437,720
 1 15 FTEs 226.50

1 16 It is the intent of the general assembly that as a
 1 17 condition of receiving the appropriation provided in this
 1 18 lettered paragraph, the department of justice shall maintain a
 1 19 record of the estimated time incurred representing each agency
 1 20 or department.

1 21 b. For victim assistance grants:
 1 22 \$ 150,000

1 23 The funds appropriated in this lettered paragraph shall be
 1 24 used to provide grants to care providers providing services to
 1 25 crime victims of domestic abuse or to crime victims of rape
 1 26 and sexual assault.

1 27 It is the intent of the general assembly to appropriate

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Office of Drug Control Policy Prosecuting Attorney Training Program, and Odometer Fraud Enforcement.

DETAIL: This is a general decrease of \$47,425 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

General Fund appropriation to the Department of Justice for the Victim Assistance Grants Program.

DETAIL: Maintains current level of General Fund support.

Requires that Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

States the intent of the General Assembly to make a General Fund

1 28 from the general fund of the state to the department of
 1 29 justice for victim assistance grants the following amount:
 1 30 \$1,000,000 for the fiscal year beginning July 1, 2009, and
 1 31 ending June 30, 2010.

appropriation of \$1,000,000 to the Department of Justice for Victim Assistance Grants in FY 2010.

1 32 The balance of the victim compensation fund established in
 1 33 section 915.94 may be used to provide salary and support of
 1 34 not more than 22 FTEs and to provide maintenance for the
 1 35 victim compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice.

DETAIL: Maintains current level of FTE positions funded from the Victim Compensation Fund. Of the total FTE positions, 20.00 FTE positions are assigned to the Crime Victim Assistance Division and 2.00 FTE positions are assigned to the Office of the Attorney General, Area Prosecutions Division.

2 1 As a condition of receiving the appropriation in this
 2 2 lettered paragraph, the department of justice shall transfer
 2 3 at least \$3,200,000 from the victim compensation fund
 2 4 established in section 915.94 to the victim assistance grant
 2 5 program.

Requires the Department of Justice to transfer at least \$3,200,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2009.

DETAIL: Maintains current level of Victim Compensation Fund support.

2 6 As a condition of receiving the appropriation in this
 2 7 lettered paragraph, the department of justice shall transfer
 2 8 at least \$850,000 from the proceeds of forfeited property
 2 9 delivered to the department pursuant to section 809A.17 to be
 2 10 used for the victim assistance grant program.

Requires the Department of Justice to transfer at least \$850,000 from the Forfeited Property Fund to the Victim Assistance Grants Program in FY 2009.

DETAIL: This is a new transfer in FY 2009. Money in the Forfeited Property Fund must be used for law enforcement purposes only. The FY 2007 ending balance was \$1,327,300. The ending balance is projected to be \$1,210,300 for FY 2008 and \$1,093,300 for FY 2009.

2 11 c. For legal services for persons in poverty grants as
 2 12 provided in section 13.34:
 2 13 \$ 2,000,000

General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.

DETAIL: Maintains current level of General Fund support.

2 14 d. For the purpose of funding farm mediation services and

General Fund appropriation to the Department of Justice for the Farm

2 15 other farm assistance program provisions in accordance with
 2 16 sections 13.13 through 13.24:
 2 17 \$ 300,000

Mediation Program.

DETAIL: Maintains current level of General Fund support.

2 18 2. a. The department of justice, in submitting budget
 2 19 estimates for the fiscal year commencing July 1, 2009,
 2 20 pursuant to section 8.23, shall include a report of funding
 2 21 from sources other than amounts appropriated directly from the
 2 22 general fund of the state to the department of justice or to
 2 23 the office of consumer advocate. These funding sources shall
 2 24 include but are not limited to reimbursements from other state
 2 25 agencies, commissions, boards, or similar entities, and
 2 26 reimbursements from special funds or internal accounts within
 2 27 the department of justice. The department of justice shall
 2 28 also report actual reimbursements for the fiscal year
 2 29 commencing July 1, 2007, and actual and expected
 2 30 reimbursements for the fiscal year commencing July 1, 2008.

Requires the Department of Justice, in submitting FY 2010 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2008 and FY 2009.

2 31 b. The department of justice shall include the report
 2 32 required under paragraph "a", as well as information regarding
 2 33 any revisions occurring as a result of reimbursements actually
 2 34 received or expected at a later date, in a report to the co=
 2 35 chairpersons and ranking members of the joint appropriations
 3 1 subcommittee on the justice system and the legislative
 3 2 services agency. The department of justice shall submit the
 3 3 report on or before January 15, 2009.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by January 15, 2009.

3 4 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
 3 5 appropriated from the general fund of the state to the office
 3 6 of consumer advocate of the department of justice for the
 3 7 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 3 8 the following amount, or so much thereof as is necessary, to
 3 9 be used for the purposes designated:
 3 10 For salaries, support, maintenance, miscellaneous purposes,
 3 11 and for not more than the following full-time equivalent

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: This is a general decrease of \$15,587 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation.

3 12 positions:

3 13 \$ 3,101,884

3 14 FTEs 27.00

3 15 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.

3 16 1. There is appropriated from the general fund of the

3 17 state to the department of corrections for the fiscal year

3 18 beginning July 1, 2008, and ending June 30, 2009, the

3 19 following amounts, or so much thereof as is necessary, to be

3 20 used for the purposes designated:

3 21 For the operation of adult correctional institutions,

3 22 reimbursement of counties for certain confinement costs, and

3 23 federal prison reimbursement, to be allocated as follows:

3 24 a. For the operation of the Fort Madison correctional
3 25 facility, including salaries, support, maintenance, and

3 26 miscellaneous purposes:

3 27 \$ 44,756,586

General Fund appropriation to the DOC for the Iowa State Penitentiary at Fort Madison.

DETAIL: This is an increase of \$244,077 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation for food and fuel cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$1,497,285 for the Clinical Care Unit at the Iowa State Penitentiary at Fort Madison.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) authorizes the construction of a new maximum security prison at Fort Madison, at an estimated cost of \$130,677,500. The Bill appropriates \$1,000,000 for architectural and engineering fees for construction projects at Fort Madison and Mitchellville and \$500,000 for project management costs.

3 28 b. For the operation of the Anamosa correctional facility,
3 29 including salaries, support, maintenance, and miscellaneous
3 30 purposes:

3 31 \$ 31,428,054

General Fund appropriation to the DOC for the Anamosa State Penitentiary.

DETAIL: This is an increase of \$771,440 and 5.00 FTE positions compared to the estimated FY 2008 General Fund appropriation. The

3 32 As a condition of the funds appropriated in this lettered
 3 33 paragraph, the department of corrections shall replace expired
 3 34 federal funding by expending at least \$238,252 for
 3 35 continuation of a treatment program that prepares offenders
 4 1 for on-going therapeutic treatment programs offered by the
 4 2 department and maintaining at least 4.75 full-time equivalent
 4 3 positions for the program.

4 4 Moneys are provided within this appropriation for one full-
 4 5 time substance abuse counselor for the Luster Heights facility
 4 6 for the purpose of certification of a substance abuse program
 4 7 at that facility.

4 8 c. For the operation of the Oakdale correctional facility,
 4 9 including salaries, support, maintenance, and miscellaneous
 4 10 purposes:
 4 11 \$ 58,128,271

4 12 d. For the operation of the Newton correctional facility,
 4 13 including salaries, support, maintenance, and miscellaneous
 4 14 purposes:
 4 15 \$ 27,978,941

change includes:

- \$238,252 to replace expired federal funds for the Therapeutic Treatment Community Program. This funding supports 4.75 FTE positions that are currently filled.
- \$250,000 for five new correctional officer positions.
- \$283,188 for food and fuel cost increases.

Requires the DOC to spend at least \$238,252 to maintain therapeutic treatment programs.

Specifies that funds be provided for one substance abuse counselor at the Luster Heights Facility.

General Fund appropriation to the DOC for the Iowa Medical Classification Center at Oakdale.

DETAIL: This is an increase of \$1,923,803 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation for pharmacy cost increases.

General Fund appropriation to the DOC for the Newton Correctional Facility.

DETAIL: This is an increase of \$137,783 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation for food and fuel cost increases.

4 16 e. For the operation of the Mt. Pleasant correctional
 4 17 facility, including salaries, support, maintenance, and
 4 18 miscellaneous purposes:
 4 19 \$ 27,290,452

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is an increase of \$959,360 and 5.00 FTE positions compared to the estimated FY 2008 General Fund appropriation. The increase includes:

- \$296,008 for food and fuel cost increases.
- \$663,352 and 5.00 FTE positions (correctional officers) for the Sex Offender Treatment Program.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) appropriates \$12,500,000 to remodel the kitchens at the Mount Pleasant Correctional Facility and the North Central Correctional Facility at Rockwell City.

4 20 f. For the operation of the Rockwell City correctional
 4 21 facility, including salaries, support, maintenance, and
 4 22 miscellaneous purposes:
 4 23 \$ 9,262,685

General Fund appropriation to the DOC for the North Central Correctional Facility at Rockwell City.

DETAIL: This is an increase of \$154,231 and 1.00 FTE position compared to the estimated FY 2008 General Fund appropriation. The change includes:

- \$58,030 and 1.00 FTE position to transfer a correctional officer position from the Fort Dodge Correctional Facility.
- \$96,201 for food and fuel cost increases.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) appropriates \$12,500,000 to remodel the kitchens at the Mount Pleasant Correctional Facility and the North Central Correctional Facility at Rockwell City.

4 24 g. For the operation of the Clarinda correctional
 4 25 facility, including salaries, support, maintenance, and
 4 26 miscellaneous purposes:
 4 27 \$ 25,207,465

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is an increase of \$129,100 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation for food and fuel cost increases.

4 28 Moneys received by the department of corrections as
 4 29 reimbursement for services provided to the Clarinda youth
 4 30 corporation are appropriated to the department and shall be
 4 31 used for the purpose of operating the Clarinda correctional
 4 32 facility.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,000,000.

4 33 h. For the operation of the Mitchellville correctional
 4 34 facility, including salaries, support, maintenance, and
 4 35 miscellaneous purposes:

5 1 \$ 15,935,768

General Fund appropriation to the DOC for the Iowa Correctional Institution for Women at Mitchellville.

DETAIL: This is an increase of \$57,105 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation for food and fuel cost increases.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) authorizes the construction of beds at the Iowa Correctional Institution for Women at Mitchellville. The Bill appropriates \$47,500,000 in FY 2009, \$11,700,000 in FY 2011, and \$8,779,000 in FY 2012. The Bill appropriates \$1,000,000 for architectural and engineering fees for construction projects at Fort Madison and Mitchellville and \$500,000 for project management costs.

5 2 i. For the operation of the Fort Dodge correctional
 5 3 facility, including salaries, support, maintenance, and
 5 4 miscellaneous purposes:

5 5 \$ 29,823,711

General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: This is an increase of \$50,560 and a decrease of 1.00 in FTE position compared to the estimated FY 2008 General Fund appropriation. The change includes:

- A decrease of \$58,030 and 1.00 FTE position to transfer a correctional officer position to the North Central Correctional Facility at Rockwell City.
- An increase of \$108,590 for food and fuel cost increases.

5 6 j. For reimbursement of counties for temporary confinement
 5 7 of work release and parole violators, as provided in sections
 5 8 901.7, 904.908, and 906.17, and for offenders confined

General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearings.

5 9 pursuant to section 904.513:	DETAIL: This is a decrease of \$231,971 compared to the estimated
5 10 \$ 967,983	FY 2008 General Fund appropriation to reflect the FY 2007 reversion.
5 11 k. For federal prison reimbursement, reimbursements for	General Fund appropriation to the DOC to reimburse the federal
5 12 out-of-state placements, and miscellaneous contracts:	Bureau of Prisons for confining Iowa inmates and to pay
5 13 \$ 241,293	miscellaneous contracts.
	DETAIL: Maintains current level of General Fund support.
5 14 2. The department of corrections shall use funds	Requires the DOC to contract with a Muslim imam to provide religious
5 15 appropriated in subsection 1 to continue to contract for the	services and religious counseling.
5 16 services of a Muslim imam.	DETAIL: This contract is required pursuant to a federal court order.
5 17 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.	
5 18 1. There is appropriated from the general fund of the	
5 19 state to the department of corrections for the fiscal year	
5 20 beginning July 1, 2008, and ending June 30, 2009, the	
5 21 following amounts, or so much thereof as is necessary, to be	
5 22 used for the purposes designated:	
5 23 a. For general administration, including salaries,	General Fund appropriation to the DOC for the Central Office.
5 24 support, maintenance, employment of an education director to	
5 25 administer a centralized education program for the	DETAIL: Maintains current level of General Fund support.
5 26 correctional system, and miscellaneous purposes:	
5 27 \$ 5,050,732	
5 28 (1) It is the intent of the general assembly that as a	Specifies that it is the intent of the General Assembly that, as a
5 29 condition of receiving the appropriation provided in this	condition of receiving appropriated funds, the DOC not enter into a
5 30 lettered paragraph the department of corrections shall not,	new contract in excess of \$100,000 for privatized services during FY
5 31 except as otherwise provided in subparagraph (3), enter into a	2009 without prior notification of the Chairpersons and Ranking
5 32 new contract, unless the contract is a renewal of an existing	Members of the Justice System Appropriations Subcommittee, and
5 33 contract, for the expenditure of moneys in excess of \$100,000	without prior consultation with any affected employee organization.
5 34 during the fiscal year beginning July 1, 2008, for the	Existing contracts may be renewed without notification.
5 35 privatization of services performed by the department using	

6 1 state employees as of July 1, 2008, or for the privatization
 6 2 of new services by the department without prior consultation
 6 3 with any applicable state employee organization affected by
 6 4 the proposed new contract and prior notification of the co=
 6 5 chairpersons and ranking members of the joint appropriations
 6 6 subcommittee on the justice system.

6 7 (2) It is the intent of the general assembly that each
 6 8 lease negotiated by the department of corrections with a
 6 9 private corporation for the purpose of providing private
 6 10 industry employment of inmates in a correctional institution
 6 11 shall prohibit the private corporation from utilizing inmate
 6 12 labor for partisan political purposes for any person seeking
 6 13 election to public office in this state and that a violation
 6 14 of this requirement shall result in a termination of the lease
 6 15 agreement.

Specifies that it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

6 16 (3) It is the intent of the general assembly that as a
 6 17 condition of receiving the appropriation provided in this
 6 18 lettered paragraph the department of corrections shall not
 6 19 enter into a lease or contractual agreement pursuant to
 6 20 section 904.809 with a private corporation for the use of
 6 21 building space for the purpose of providing inmate employment
 6 22 without providing that the terms of the lease or contract
 6 23 establish safeguards to restrict, to the greatest extent
 6 24 feasible, access by inmates working for the private
 6 25 corporation to personal identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC, when contracting with a private business for inmate employment, must restrict inmates' access to citizens' personal identifying information.

6 26 b. For educational programs for inmates at state penal
 6 27 institutions:
 6 28 \$ 1,570,358

General Fund appropriation to the DOC for educational programs for inmates.

DETAIL: Maintains current level of General Fund support.

6 29 As a condition of receiving the appropriation in this
 6 30 lettered paragraph, the department of corrections shall

Requires the DOC to transfer at least \$300,000 from Canteen Funds to the Corrections Education Program. Requires the DOC to spend

6 31 transfer at least \$300,000 from the canteen operating funds
 6 32 established pursuant to section 904.310 to be used for
 6 33 correctional educational programs funded in this lettered
 6 34 paragraph. In addition, as a condition of receiving the
 6 35 appropriation made in this lettered paragraph, the department
 7 1 of corrections shall expend, from the funds available to the
 7 2 department, at least \$300,000 more in the fiscal year
 7 3 beginning July 1, 2008, and ending June 30, 2009, than was
 7 4 expended in the previous fiscal year, for correctional
 7 5 education programs.

\$300,000 more on the Corrections Education Program in FY 2009 compared to FY 2008.

DETAIL: Each prison maintains a Canteen Fund to be used for the benefit of inmates. The FY 2007 combined ending balance for the Canteen Funds was \$1,403,731. The FY 2008 ending balance is projected to be \$1,087,669, and the FY 2009 ending balance is projected to be \$1,057,143.

7 6 It is the intent of the general assembly that moneys
 7 7 appropriated in this lettered paragraph shall be used solely
 7 8 for the purpose indicated and that the moneys shall not be
 7 9 transferred for any other purpose. In addition, it is the
 7 10 intent of the general assembly that the department shall
 7 11 consult with the community colleges in the areas in which the
 7 12 institutions are located to utilize moneys appropriated in
 7 13 this lettered paragraph to fund the high school completion,
 7 14 high school equivalency diploma, adult literacy, and adult
 7 15 basic education programs in a manner so as to maintain these
 7 16 programs at the institutions.

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also, requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

7 17 To maximize the funding for educational programs, the
 7 18 department shall establish guidelines and procedures to
 7 19 prioritize the availability of educational and vocational
 7 20 training for inmates based upon the goal of facilitating an
 7 21 inmate's successful release from the correctional institution.
 7 22 The director of the department of corrections may transfer
 7 23 moneys from Iowa prison industries for use in educational
 7 24 programs for inmates.

7 25 Notwithstanding section 8.33, moneys appropriated in this
 7 26 lettered paragraph that remain unobligated or unexpended at
 7 27 the close of the fiscal year shall not revert but shall remain
 7 28 available for expenditure only for the purpose designated in
 7 29 this lettered paragraph until the close of the succeeding

CODE: Requires nonreversion of funds for the Inmate Education Program.

7 30 fiscal year.

7 31 c. For the development of the Iowa corrections offender
7 32 network (ICON) data system:

7 33 \$ 427,700

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

DETAIL: Maintains current level of General Fund support.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) appropriates \$500,000 for costs associated with the ICON system.

7 34 d. For offender mental health and substance abuse
7 35 treatment:

8 1 \$ 25,000

General Fund appropriation to the DOC for mental health and substance abuse treatment.

DETAIL: Maintains current level of General Fund support.

8 2 e. For viral hepatitis prevention and treatment:

8 3 \$ 188,000

General Fund appropriation to the DOC for viral hepatitis prevention and treatment.

DETAIL: Maintains current level of General Fund support.

8 4 2. It is the intent of the general assembly that the
8 5 department of corrections shall continue to operate the
8 6 correctional farms under the control of the department at the
8 7 same or greater level of participation and involvement as
8 8 existed as of January 1, 2008; shall not enter into any rental
8 9 agreement or contract concerning any farmland under the
8 10 control of the department that is not subject to a rental
8 11 agreement or contract as of January 1, 2008, without prior
8 12 legislative approval; and shall further attempt to provide job
8 13 opportunities at the farms for inmates. The department shall
8 14 attempt to provide job opportunities at the farms for inmates
8 15 by encouraging labor-intensive farming or gardening where
8 16 appropriate; using inmates to grow produce and meat for
8 17 institutional consumption; researching the possibility of
8 18 instituting food canning and cook-and-chill operations; and
8 19 exploring opportunities for organic farming and gardening,

Specifies that it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level as existed on January 1, 2008. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.

8 20 livestock ventures, horticulture, and specialized crops.

8 21 3. The department of corrections shall provide a smoking
8 22 cessation program to offenders committed to the custody of the
8 23 director or who are otherwise detained by the department, that
8 24 complies with legislation enacted restricting or prohibiting
8 25 smoking on the grounds of correctional institutions.

Requires the DOC to provide a smoking cessation program to offenders, if legislation is enacted that restricts or prohibits smoking on the grounds of correctional facilities.

DETAIL: House File 2212 (Smoking Ban in Public Places Bill) exempts the DOC facilities from a smoking ban. However, the DOC is in the process of developing policies and procedures for a smoking ban, with a tentative implementation date of January 1, 2009.

8 26 4. As a condition of receiving the appropriations made in
8 27 this section, the department of corrections shall develop and
8 28 implement offender reentry centers in Black Hawk and Polk
8 29 counties to provide transitional planning and release
8 30 primarily for offenders released from the Iowa correctional
8 31 institution for women at Mitchellville and the Fort Dodge
8 32 correctional facility. Programming shall include minority and
8 33 gender-specific responsiveness, employment, substance abuse
8 34 treatment, mental health services, housing, and family
8 35 reintegration. The department of corrections shall
9 1 collaborate with the first and fifth judicial district
9 2 departments of correctional services, Iowa department of
9 3 workforce development, department of human services,
9 4 community-based providers and faith-based organizations, and
9 5 local law enforcement.

Requires the Department of Corrections to develop and implement re-entry centers in Waterloo and Des Moines. Specifies programming requirements. This Bill includes appropriations to the First and Fifth CBC District Departments for re-entry centers.

9 6 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
9 7 SERVICES.

9 8 1. There is appropriated from the general fund of the
9 9 state to the department of corrections for the fiscal year
9 10 beginning July 1, 2008, and ending June 30, 2009, for the
9 11 treatment and supervision of probation and parole violators
9 12 who have been released from the department of corrections

9 13 violator program, the following amounts, or so much thereof as
9 14 is necessary, to be allocated as follows:

9 15 a. For the first judicial district department of
9 16 correctional services:
9 17 \$ 13,103,903

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$397,870 and 2.00 FTE positions compared to the estimated FY 2008 General Fund appropriation. The increase includes:

- \$206,000 to replace expired federal funds for a Drug Court (\$66,000) and a Dual Diagnosis Program (\$140,000). This funding supports 1.25 FTE positions that are currently filled.
- \$150,000 and 2.00 FTE positions for an offender re-entry program in Waterloo.
- \$41,870 for food, fuel, and pharmacy cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$410,332 for the First CBC District Department. The Bill also includes \$30,000 for a transitional housing pilot project for offenders on parole that are in the early recovery stages of substance abuse. The pilot program is located in Waterloo.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) appropriates \$6,000,000 to construct additional residential beds in Waterloo.

9 18 As a condition of the funds appropriated in this lettered
9 19 paragraph, the department of corrections shall replace expired
9 20 federal funding by expending at least \$140,000 for the dual
9 21 diagnosis program and maintaining 1.25 full-time equivalent
9 22 positions for the program.

Requires the First CBC District Department to spend at least \$140,000 to maintain the Dual Diagnosis Program.

9 23 b. For the second judicial district department of
9 24 correctional services:
9 25 \$ 10,835,021

General Fund appropriation to the DOC for the Second CBC District Department.

9 26 c. For the third judicial district department of
9 27 correctional services:
9 28 \$ 5,914,624

DETAIL: This is an increase of \$754,913 and 11.35 FTE positions compared to the estimated FY 2008 General Fund appropriation. The increase includes:

- \$734,031 and 11.35 FTE positions to staff 26 additional CBC beds in Fort Dodge. The funding provides a full year of operating costs. The new 60-bed facility replaces a 34-bed rented facility. Construction was completed in April 2008.
- \$20,882 for food, fuel, and contract cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$441,215 for the Second CBC District Department.

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$11,223 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation. The increase is for food and fuel cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$220,856 for the Third CBC District Department.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) appropriates \$5,300,000 to construct additional residential beds in Sioux City.

9 29 d. For the fourth judicial district department of
9 30 correctional services:
9 31 \$ 5,435,240

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of \$15,834 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation. The increase is for fuel cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$310,547 for the

9 32 e. For the fifth judicial district department of
 9 33 correctional services, including funding for electronic
 9 34 monitoring devices for use on a statewide basis:
 9 35 \$ 18,813,816

Fourth CBC District Department.

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$412,813 and 9.00 FTE positions compared to the estimated FY 2008 appropriation. The change includes:

- A decrease of \$125,000 to eliminate funding for lease-purchase payments that ended in FY 2007.
- An increase of \$150,000 and 2.00 FTE positions for an offender re-entry program in Des Moines.
- An increase of \$336,648 and 7.00 FTE positions for the Sex Offender Treatment Program. These funds are to provide staffing for the third shift at the Command Center at the Fort Des Moines Residential Facility.
- An increase of \$51,165 for food, fuel, and contract cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$419,582 for the Fifth CBC District Department.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) appropriates \$200,000 to study potential locations of residential facilities to add up to 170 beds to the District Department. The funds may be used to secure an option to purchase land, contingent on State appropriations being made for that purpose.

10 1 f. For the sixth judicial district department of
 10 2 correctional services:
 10 3 \$ 13,991,982

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$1,316,736 and 23.00 FTE positions compared to the estimated FY 2008 General Fund appropriation. The change includes:

- A decrease of \$200,000 to eliminate one-time costs for the new mental health residential facility currently under construction.

- An increase of \$1,500,000 and 23.00 FTE positions to fund operating costs of the new mental health residential facility being constructed in Cedar Rapids. The Sixth CBC District Department indicates it will request a total of 53.00 FTE positions to fully operate the facility. The number of FTE positions includes a mix of employees and those under contract.
- An increase of \$16,736 for food and fuel cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$566,750 for the Sixth CBC District Department.

10 4 The sixth judicial district department of correctional
 10 5 services shall maintain a youth leadership model program to
 10 6 help at-risk youth. As a part of the program, the district
 10 7 department may recruit college or high school students in the
 10 8 judicial district to work with at-risk youth. The student
 10 9 workers shall be recruited regardless of gender and be
 10 10 recommended by their respective schools as good role models,
 10 11 including but not limited to students who possess capabilities
 10 12 in one or more of the following areas of ability:
 10 13 intellectual capacity, athletics, visual arts, or performing
 10 14 arts.

Requires the Sixth CBC District Department to maintain a youth leadership model program. Specifies the requirements of the program.

10 15 g. For the seventh judicial district department of
 10 16 correctional services:
 10 17 \$ 7,053,660

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$32,866 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation. The increase is for food, fuel, utilities, and contract cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$256,608 for the Seventh CBC District Department.

10 18 h. For the eighth judicial district department of

General Fund appropriation to the DOC for the Eighth CBC District

10 19 correctional services:
 10 20 \$ 7,066,926

Department.

DETAIL: This is an increase of \$68,382 and no change in FTE positions compared to the estimated FY 2008 General Fund appropriation. The increase is for food, fuel, utilities, and contract cost increases.

NOTE: Senate File 2417 (FY 2009 Healthy Iowans Tobacco Trust Appropriations Bill) provides an appropriation of \$324,299 for the Eighth CBC District Department.

NOTE: Senate File 2432 (FY 2009 Infrastructure Appropriations Bill) appropriates \$4,100,000 to construct additional residential beds in Ottumwa.

10 21 2. Each judicial district department of correctional
 10 22 services, within the funding available, shall continue
 10 23 programs and plans established within that district to provide
 10 24 for intensive supervision, sex offender treatment, diversion
 10 25 of low-risk offenders to the least restrictive sanction
 10 26 available, job development, and expanded use of intermediate
 10 27 criminal sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

10 28 3. Each judicial district department of correctional
 10 29 services shall provide alternatives to prison consistent with
 10 30 chapter 901B. The alternatives to prison shall ensure public
 10 31 safety while providing maximum rehabilitation to the offender.
 10 32 A judicial district department of correctional services may
 10 33 also establish a day program.

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.

10 34 4. The governor's office of drug control policy shall
 10 35 consider federal grants made to the department of corrections
 11 1 for the benefit of each of the eight judicial district
 11 2 departments of correctional services as local government
 11 3 grants, as defined pursuant to federal regulations.

Requires the Office of Drug Control Policy to consider federal grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

11 4 5. The department of corrections shall continue to
11 5 contract with a judicial district department of correctional
11 6 services to provide for the rental of electronic monitoring
11 7 equipment which shall be available statewide.

Requires the DOC to contract with a CBC District Department for the rental of electronic monitoring equipment.

DETAIL: The DOC contracts with the Fifth CBC District Department for electronic monitoring devices that are available statewide.

11 8 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF
11 9 APPROPRIATIONS. Notwithstanding section 8.39, within the
11 10 funds appropriated in this Act to the department of
11 11 corrections, the department may reallocate the funds
11 12 appropriated and allocated as necessary to best fulfill the
11 13 needs of the correctional institutions, administration of the
11 14 department, and the judicial district departments of
11 15 correctional services. However, in addition to complying with
11 16 the requirements of sections 904.116 and 905.8 and providing
11 17 notice to the legislative services agency, the department of
11 18 corrections shall also provide notice to the department of
11 19 management, prior to the effective date of the revision or
11 20 reallocation of an appropriation made pursuant to this
11 21 section. The department shall not reallocate an appropriation
11 22 or allocation for the purpose of eliminating any program.

CODE: Permits the DOC to reallocate appropriations between the correctional institutions, Central Office, and CBC District Departments. Requires the DOC to provide notice to the Department of Management and the LSA before reallocating the funds. Prohibits the reallocation of funds to eliminate a program.

11 23 Sec. 7. INTENT == REPORTS.

11 24 1. The department in cooperation with townships, the Iowa
11 25 cemetery associations, and other nonprofit or governmental
11 26 entities may use inmate labor during the fiscal year beginning
11 27 July 1, 2008, to restore or preserve rural cemeteries and
11 28 historical landmarks. The department in cooperation with the
11 29 counties may also use inmate labor to clean up roads, major
11 30 water sources, and other water sources around the state.

Permits the DOC to work with nonprofit and governmental entities to use inmate labor to restore or preserve rural cemeteries or historical landmarks and to clean up roads and water resources.

11 31 2. Each month the department shall provide a status report
11 32 regarding private=sector employment to the legislative
11 33 services agency beginning on July 1, 2008. The report shall

Requires the DOC to provide a monthly status report to the LSA regarding private sector employment of inmates.

11 34 include the number of offenders employed in the private
11 35 sector, the combined number of hours worked by the offenders,
12 1 and the total amount of allowances, and the distribution of
12 2 allowances pursuant to section 904.702, including any moneys
12 3 deposited in the general fund of the state.

12 4 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
12 5 corrections shall submit a report on electronic monitoring to
12 6 the general assembly, to the co=chairpersons and the ranking
12 7 members of the joint appropriations subcommittee on the
12 8 justice system, and to the legislative services agency by
12 9 January 15, 2009. The report shall specifically address the
12 10 number of persons being electronically monitored and break
12 11 down the number of persons being electronically monitored by
12 12 offense committed. The report shall also include a comparison
12 13 of any data from the prior fiscal year with the current year.

Requires the DOC to submit a report regarding electronic monitoring to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by January 15, 2009. Specifies the content of the report.

12 14 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 15 1. As used in this section, unless the context otherwise
12 16 requires, "state agency" means the government of the state of
12 17 Iowa, including but not limited to all executive branch
12 18 departments, agencies, boards, bureaus, and commissions, the
12 19 judicial branch, the general assembly and all legislative
12 20 agencies, institutions within the purview of the state board
12 21 of regents, and any corporation whose primary function is to
12 22 act as an instrumentality of the state.

12 23 2. State agencies are hereby encouraged to purchase
12 24 products from Iowa state industries, as defined in section
12 25 904.802, when purchases are required and the products are
12 26 available from Iowa state industries. State agencies shall
12 27 obtain bids from Iowa state industries for purchases of office
12 28 furniture during the fiscal year beginning July 1, 2008,
12 29 exceeding \$5,000 or in accordance with applicable
12 30 administrative rules related to purchases for the agency.

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000.

12 31 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
 12 32 from the general fund of the state to the office of the state
 12 33 public defender of the department of inspections and appeals
 12 34 for the fiscal year beginning July 1, 2008, and ending June
 12 35 30, 2009, the following amounts, or so much thereof as is
 13 1 necessary, to be allocated as follows for the purposes
 13 2 designated:

13 3 1. For salaries, support, maintenance, miscellaneous
 13 4 purposes, and for not more than the following full-time
 13 5 equivalent positions:

13 6 \$ 21,749,296
 13 7 FTEs 203.00

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: Maintains the current level of General Fund support and provides an increase of 1.00 FTE position to convert a contract position to an employee (Information Technology Support Worker).

13 8 2. For the fees of court-appointed attorneys for indigent
 13 9 adults and juveniles, in accordance with section 232.141 and
 13 10 chapter 815:

13 11 \$ 31,282,538

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: Maintains current level of General Fund support.

13 12 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 13 1. There is appropriated from the general fund of the
 13 14 state to the Iowa law enforcement academy for the fiscal year
 13 15 beginning July 1, 2008, and ending June 30, 2009, the
 13 16 following amount, or so much thereof as is necessary, to be
 13 17 used for the purposes designated:

13 18 For salaries, support, maintenance, miscellaneous purposes,
 13 19 including jailer training and technical assistance, and for
 13 20 not more than the following full-time equivalent positions:

13 21 \$ 1,283,115
 13 22 FTEs 30.05

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is a general decrease of \$6,447 and no change in FTE positions compared to the estimated FY 2008 appropriation.

13 23 It is the intent of the general assembly that the Iowa law

Specifies the intent of the General Assembly that the Academy may

13 24 enforcement academy may provide training of state and local
 13 25 law enforcement personnel concerning the recognition of and
 13 26 response to persons with Alzheimer's disease.

offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

13 27 The Iowa law enforcement academy may temporarily exceed and
 13 28 draw more than the amount appropriated and incur a negative
 13 29 cash balance as long as there are receivables equal to or
 13 30 greater than the negative balance and the amount appropriated
 13 31 in this subsection is not exceeded at the close of the fiscal
 13 32 year.

Permits the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: This language is to assist with cash flow issues the Academy faces in the last quarter of the fiscal year.

13 33 2. The Iowa law enforcement academy may select at least
 13 34 five automobiles of the department of public safety, division
 13 35 of state patrol, prior to turning over the automobiles to the
 14 1 department of administrative services to be disposed of by
 14 2 public auction, and the Iowa law enforcement academy may
 14 3 exchange any automobile owned by the academy for each
 14 4 automobile selected if the selected automobile is used in
 14 5 training law enforcement officers at the academy. However,
 14 6 any automobile exchanged by the academy shall be substituted
 14 7 for the selected vehicle of the department of public safety
 14 8 and sold by public auction with the receipts being deposited
 14 9 in the depreciation fund to the credit of the department of
 14 10 public safety, division of state patrol.

Permits the Academy to annually exchange at least five vehicles returned to the State Fleet Administrator by the Department of Public Safety for any of the Academy's training vehicles. The vehicles received from the Academy are to be sold at public auction, with the receipts to be deposited in the Depreciation Fund used to purchase new vehicles for the Department of Public Safety (DPS).

14 11 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 14 12 general fund of the state to the board of parole for the
 14 13 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 14 14 the following amount, or so much thereof as is necessary, to
 14 15 be used for the purposes designated:

General Fund appropriation to the Board of Parole.

14 16 For salaries, support, maintenance, miscellaneous purposes,
 14 17 and for not more than the following full-time equivalent
 14 18 positions:

DETAIL: This is a general decrease of \$6,281 and an increase of 1.00 FTE position compared to estimated FY 2008. The FTE position will be funded by reducing expenditures for extra help and reducing the historical reversion.

14 19 \$ 1,249,992

14 20 FTEs 18.50

14 21 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
14 22 appropriated from the general fund of the state to the
14 23 department of public defense for the fiscal year beginning
14 24 July 1, 2008, and ending June 30, 2009, the following amounts,
14 25 or so much thereof as is necessary, to be used for the
14 26 purposes designated:

14 27 1. MILITARY DIVISION

14 28 For salaries, support, maintenance, miscellaneous purposes,
14 29 and for not more than the following full-time equivalent
14 30 positions:
14 31 \$ 6,404,798
14 32 FTEs 306.43

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is an increase of \$92,813 for nine months of the State's 25.00% share of the Readiness Center at Camp Dodge and no change in FTE positions compared to the estimated FY 2008 appropriation.

14 33 The military division may temporarily exceed and draw more
14 34 than the amount appropriated and incur a negative cash balance
14 35 as long as there are receivables of federal funds equal to or
15 1 greater than the negative balance and the amount appropriated
15 2 in this subsection is not exceeded at the close of the fiscal
15 3 year.

Permits the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Division to use State General Fund money to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

15 4 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

15 5 a. For salaries, support, maintenance, miscellaneous
15 6 purposes, and for not more than the following full-time

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

15 7 equivalent positions:	
15 8 \$ 2,271,581	DETAIL: Maintains current level of General Fund support.
15 9 FTEs 35.10	
15 10 The homeland security and emergency management division may	
15 11 temporarily exceed and draw more than the amount appropriated	Permits the Homeland Security and Emergency Management Division
15 12 and incur a negative cash balance as long as there are	to incur a negative cash balance as long as the Division has federal
15 13 receivables of federal funds equal to or greater than the	reimbursable expenses to cover the negative balance.
15 14 negative balance and the amount appropriated in this	
15 15 subsection is not exceeded at the close of the fiscal year.	DETAIL: The Homeland Security and Emergency Management
	Division can experience a delay of up to 30 days in federal
	reimbursement for eligible expenses. This authorization permits the
	Division to use State General Fund money to cover these expenses
	until the federal funds are received. To alleviate the cash flow
	problem, the federal government has instituted an Advance Payment
	System that permits the State to receive an advance of federal funds
	to meet payroll and other requirements. The Division has
	implemented the accounting procedures to use the new System.
15 16 It is the intent of the general assembly that the homeland	
15 17 security and emergency management division work in conjunction	Specifies the intent of the General Assembly that the Homeland
15 18 with the department of public safety, to the extent possible,	Security and Emergency Management Division work in conjunction
15 19 when gathering and analyzing information related to potential	with the Department of Public Safety when gathering and analyzing
15 20 domestic or foreign security threats, and when monitoring such	information related to potential domestic and foreign security threats.
15 21 threats.	
15 22 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is	
15 23 appropriated from the general fund of the state to the	
15 24 department of public safety for the fiscal year beginning July	
15 25 1, 2008, and ending June 30, 2009, the following amounts, or	
15 26 so much thereof as is necessary, to be used for the purposes	
15 27 designated:	
15 28 1. For the department's administrative functions,	General Fund appropriation to the Department of Public Safety for the
15 29 including the criminal justice information system, and for not	Administrative Services Division.
15 30 more than the following full-time equivalent positions:	
15 31 \$ 4,455,581	DETAIL: This is an increase of \$275,548 and 2.00 FTE positions

15 32 FTEs 39.00

compared to the estimated FY 2008 appropriation. The increase includes:

- \$83,002 and 1.00 FTE position for the Commission for the Accreditation of Law Enforcement Agencies (CALEA) Coordinator reallocated from the Division of Criminal Investigation (DCI) to the Administration Division.
- \$127,120 for a reallocation from the enforcement divisions to the Finance Bureau within the Administration Division for support of the Finance Bureau Chief.
- \$65,426 and 1.00 FTE position for a reallocation from the DCI to the Technology Services Bureau within the Administration Division for the creation and maintenance of database applications in the Department.

15 33 2. For the division of criminal investigation, including
 15 34 the state's contribution to the peace officers' retirement,
 15 35 accident, and disability system provided in chapter 97A in the
 16 1 amount of the state's normal contribution rate, as defined in
 16 2 section 97A.8, multiplied by the salaries for which the funds
 16 3 are appropriated, to meet federal fund matching requirements,
 16 4 and for not more than the following full-time equivalent
 16 5 positions:

16 6 \$ 21,121,120

16 7 FTEs 286.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is a decrease of \$608,362 and 3.00 FTE positions compared to the estimated FY 2008 appropriation. The change includes:

- A decrease of \$60,000 in one-time expenses from FY 2008.
- A decrease of \$425,108 and 6.00 FTE positions for the closure of the Fort Madison Riverboat.
- A decrease of \$123,254 for a reallocation from the DCI to the Administration Division.
- An increase of 1.00 FTE position funded from federal funds for an additional Criminalist for the Internet Crimes Against Children Task Force.
- An increase of 1.00 FTE position funded from escrow accounts at the Native American Tribes to provide for audit, inspection, and enforcement services to assist in assuring Class III gaming and compliance with the Tribal-State Compact, Gaming Ordinances, Regulations, and other applicable law on tribal lands.
- A decrease of 1.00 FTE position to transfer the CALEA Coordinator to the Administration Division.
- A decrease of 1.00 FTE position to transfer the Information Technology position from the DCI to the Administration Division.

- An increase of 1.00 FTE position for a Special Agent In Charge supervisor to oversee background checks. The position will be funded through fees charged for background checks.
- An increase of 2.00 FTE positions for a Cold Case Unit, funded by federal receipts.

16 8 If any of the Indian tribes fail to pay for one full-time
16 9 equivalent position pursuant to the agreements or compacts
16 10 entered into between the state and the Indian tribes pursuant
16 11 to section 10A.104, subsection 10, the number of full-time
16 12 equivalent positions authorized under this subsection is
16 13 reduced by one full-time equivalent position.

Specifies that if funding for the 1.00 FTE position for Tribal Gaming Inspections is not funded from the Tribal-State Compact, this FTE position will no longer be authorized.

16 14 The department shall employ one additional special agent
16 15 and one additional criminalist for the purpose of
16 16 investigating cold cases. Prior to employing the additional
16 17 special agent and criminalist authorized in this paragraph,
16 18 the department shall provide a written statement to
16 19 prospective employees that states to the effect that the
16 20 positions are being funded by a temporary federal grant and
16 21 there are no assurances that funds from other sources will be
16 22 available after the federal funding expires. If the federal
16 23 funding for the additional positions expires during the fiscal
16 24 year, the number of full-time equivalent positions authorized
16 25 in this subsection is reduced by two full-time equivalent
16 26 positions.

Specifies that the Department will employ one Special Agent and one Criminalist to investigate cold cases. However, if federal funds are not received for the 2.00 FTE positions for the Cold Case Unit, the positions are eliminated.

16 27 The department of public safety, with the approval of the
16 28 department of management, may employ no more than two special
16 29 agents and four gaming enforcement officers for each
16 30 additional riverboat or gambling structure regulated after
16 31 July 1, 2008, and one special agent for each racing facility
16 32 which becomes operational during the fiscal year which begins
16 33 July 1, 2008. One additional gaming enforcement officer, up
16 34 to a total of four per riverboat or gambling structure, may be

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming officers if approved by the Department of Management for new riverboats licensed after July 1, 2008, and for riverboats that have extended operations to 24 hours. Also permits the employment of one special agent for each racing facility that becomes operational during FY 2009.

16 35 employed for each riverboat or gambling structure that has
 17 1 extended operations to 24 hours and has not previously
 17 2 operated with a 24-hour schedule. Positions authorized in
 17 3 this paragraph are in addition to the full-time equivalent
 17 4 positions otherwise authorized in this subsection.

17 5 3. For the criminalistics laboratory fund created in
 17 6 section 691.9:
 17 7 \$ 342,000

General Fund appropriation for the Criminalistics Laboratory Fund.

DETAIL: Maintains current level of General Fund support.

17 8 4. a. For the division of narcotics enforcement,
 17 9 including the state's contribution to the peace officers'
 17 10 retirement, accident, and disability system provided in
 17 11 chapter 97A in the amount of the state's normal contribution
 17 12 rate, as defined in section 97A.8, multiplied by the salaries
 17 13 for which the funds are appropriated, to meet federal fund
 17 14 matching requirements, and for not more than the following
 17 15 full-time equivalent positions:
 17 16 \$ 6,302,046
 17 17 FTEs 82.00

General Fund appropriation to the Department of Public Safety for the Division of Narcotics Enforcement (DNE).

DETAIL: This is a decrease of \$13,243 and no change in FTE positions compared to the estimated FY 2008 appropriation for the reallocation of \$13,243 to the Administration Division.

17 18 b. For the division of narcotics enforcement for
 17 19 undercover purchases:
 17 20 \$ 123,343

General Fund appropriation to the Department of Public Safety for undercover purchases.

DETAIL: Maintains current level of General Fund support.

17 21 5. For the division of state fire marshal, for fire
 17 22 protection services as provided through the state fire service
 17 23 and emergency response council as created in the department,
 17 24 and for the state's contribution to the peace officers'
 17 25 retirement, accident, and disability system provided in
 17 26 chapter 97A in the amount of the state's normal contribution
 17 27 rate, as defined in section 97A.8, multiplied by the salaries
 17 28 for which the funds are appropriated, and for not more than
 17 29 the following full-time equivalent positions:

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

DETAIL: This is an increase of \$662,442 and 12.00 FTE positions compared to the estimated FY 2008 appropriation. The change includes:

- A decrease of \$67,000 in one-time expenses from FY 2008.
- A decrease of \$7,066 for a reallocation to the Administration Division.

17 30 \$ 3,991,394
 17 31 FTEs 59.00

- An increase of \$836,508 and 10.00 FTE positions to merge the Fire Service Training Bureau into the Fire Marshal's Office appropriation.
- A decrease of \$100,000 for a one-time equipment purchase of a mobile training prop for the Fire Service Training Bureau.
- An increase of 2.00 FTE positions that are funded through a Chapter 28E, Code of Iowa, agreement with the Department of Inspections and Appeals. The positions are currently filled and conduct assisted living and nursing home inspections.

17 32 6. For the division of state patrol, for salaries,
 17 33 support, maintenance, workers' compensation costs, and
 17 34 miscellaneous purposes, including the state's contribution to
 17 35 the peace officers' retirement, accident, and disability
 18 1 system provided in chapter 97A in the amount of the state's
 18 2 normal contribution rate, as defined in section 97A.8,
 18 3 multiplied by the salaries for which the funds are
 18 4 appropriated, and for not more than the following full=time
 18 5 equivalent positions:
 18 6 \$ 50,353,777
 18 7 FTEs 536.00
 18 8 As a condition of receiving the appropriation made in this
 18 9 subsection, the department of public safety shall increase
 18 10 expenditures for overtime paid to peace officer members of the
 18 11 state patrol by \$350,000 and increase expenditures for fuel
 18 12 used by the motor vehicles of such members by \$227,000. In
 18 13 addition as a condition of receiving the appropriation made in
 18 14 this subsection, the department shall hire and employ one
 18 15 additional peace officer member of the state patrol.

General Fund appropriation to the Iowa State Patrol.

DETAIL: This is an increase of \$143,015 and 1.00 FTE position compared to the estimated FY 2008 appropriation. Of the total appropriation, \$350,000 is to be used for overtime and \$227,000 is to be used for fuel. The Department was also required to hire an additional FTE position.

NOTE: The total amount for overtime appropriated for the Patrol is \$750,000. The Bill appropriates \$350,000 and SF 601 (FY 2008 Standing Appropriations Act) appropriated \$400,000. In FY 2008, the Patrol budgeted gas at \$2.00 per gallon, net of taxes (\$2.37 with federal and State taxes). The estimated gallons consumed was 785,900. The increased appropriation for gas equates to \$2.29 per gallon, net of taxes, to reflect a pump price of \$2.66 per gallon.

18 16 It is the intent of the general assembly that members of
 18 17 the state patrol be assigned to patrol the highways and roads
 18 18 in lieu of assignments for inspecting school buses for the
 18 19 school districts.

Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.

18 20 7. For deposit in the sick leave benefits fund established

General Fund appropriation to create a non-reversionary fund in the

18 21 under section 80.42 for all departmental employees eligible to
 18 22 receive benefits for accrued sick leave under the collective
 18 23 bargaining agreement:
 18 24 \$ 316,179

Department of Public Safety to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement.

DETAIL: Maintains current level of General Fund support.

18 25 8. For costs associated with the training and equipment
 18 26 needs of volunteer fire fighters:
 18 27 \$ 669,587

General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training.

DETAIL: Maintains current level of General Fund support.

18 28 Notwithstanding section 8.33, moneys appropriated in this
 18 29 subsection that remain unencumbered or unobligated at the
 18 30 close of the fiscal year shall not revert but shall remain
 18 31 available for expenditure only for the purpose designated in
 18 32 this subsection until the close of the succeeding fiscal year.

CODE: Requires nonreversion of funds for fire fighter training and equipment needs.

18 33 Notwithstanding section 8.39, within the funds appropriated
 18 34 in this section the department of public safety may reallocate
 18 35 funds as necessary to best fulfill the needs provided for in
 19 1 the appropriation. However, the department shall not
 19 2 reallocate an appropriation made to the department in this
 19 3 section unless notice of the reallocation is given to the
 19 4 legislative services agency and the department of management
 19 5 prior to the effective date of the reallocation. The notice
 19 6 shall include information about the rationale for reallocating
 19 7 the appropriation. The department shall not reallocate an
 19 8 appropriation made in this section for the purpose of
 19 9 eliminating any program.

CODE: Permits funds appropriated to the Department of Public Safety to be allocated as necessary to fulfill appropriation needs within the Department. The Department is not allowed to reallocate an appropriation unless notice is given to the LSA and the DOM prior to the effective date of the reallocation. The Department is not allowed to reallocate the appropriation for the purpose of eliminating a program.

19 10 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
 19 11 from the general fund of the state to the Iowa state civil
 19 12 rights commission for the fiscal year beginning July 1, 2008,
 19 13 and ending June 30, 2009, the following amount, or so much

General Fund appropriation to the Iowa Civil Rights Commission.

DETAIL: Maintains current level of General Fund support.

19 14 thereof as is necessary, to be used for the purposes
 19 15 designated:
 19 16 For salaries, support, maintenance, miscellaneous purposes,
 19 17 and for not more than the following full-time equivalent
 19 18 positions:
 19 19 \$ 1,504,036
 19 20 FTEs 29.00

19 21 The Iowa state civil rights commission may enter into a
 19 22 contract with a nonprofit organization to provide legal
 19 23 assistance to resolve civil rights complaints.

Permits the Commission to enter into a contract with a non-profit organization for legal assistance.

19 24 Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 19 25 DIVISION. There is appropriated from the wireless E911
 19 26 emergency communications fund created in section 34A.7A to the
 19 27 administrator of the homeland security and emergency
 19 28 management division of the department of public defense for
 19 29 the fiscal year beginning July 1, 2008, and ending June 30,
 19 30 2009, an amount not exceeding \$200,000 to be used for
 19 31 implementation, support, and maintenance of the functions of
 19 32 the administrator and program manager under chapter 34A and to
 19 33 employ the auditor of the state to perform an annual audit of
 19 34 the wireless E911 emergency communications fund.

Permits continued funding from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the Department of Public Defense through FY 2009.

DETAIL: The Division receives up to \$200,000 and 2.00 FTE positions for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit on the Fund.

19 35 Sec. 17. IOWA LAW ENFORCEMENT ACADEMY == FEES.
 20 1 Notwithstanding section 80B.11B, the Iowa law enforcement
 20 2 academy may charge more than one-half the cost of providing
 20 3 the basic training course if a majority of the Iowa law
 20 4 enforcement academy council authorizes charging more than one=
 20 5 half of the cost of providing basic training. This section is
 20 6 repealed on June 30, 2009.

CODE: Permits the Iowa Law Enforcement Academy to charge Academy attendees more than half the cost to provide training if approved by the Law Enforcement Academy Council. This Section is repealed June 30, 2009.

DETAIL: The tuition for FY 2008 was 60.00% of the cost to attend or \$3,575 per person.

20 7 Sec. 18. INTERIM REPORTING == IMPLEMENTATION. The board
 20 8 of parole shall develop and implement the certificate of
 20 9 employability program as provided in section 906.19, as

Requires the Board of Parole to develop and implement a Certificate of Employability Program by July 1, 2009 (FY 2010). Requires the Board to file an interim status report with the General Assembly and

20 10 enacted by this Act, by July 1, 2009. The board shall file an
 20 11 interim status report regarding the certificate of
 20 12 employability program development with the general assembly
 20 13 and the legislative services agency by January 1, 2009.

LSA by January 1, 2009.

20 14 Sec. 19. CENTRAL WAREHOUSE AND SUPPLY DEPOT OF DEPARTMENT
 20 15 OF HUMAN SERVICES. It is the intent of the general assembly
 20 16 that upon completion of the central warehouse and supply depot
 20 17 of the department of corrections established pursuant to
 20 18 section 904.118A, as enacted by this Act, the department of
 20 19 human services shall cease utilizing the central warehouse and
 20 20 supply depot of the department of human services established
 20 21 pursuant to section 218.100.

Requires the Department of Human Services to use the DOC Central Warehouse once it becomes operational rather than the Woodward Warehouse established in Section 218.100, Code of Iowa.

20 22 Sec. 20. Section 135.11, Code Supplement 2007, is amended
 20 23 by adding the following new subsection:
 20 24 NEW SUBSECTION . 32. In consultation with the department
 20 25 of corrections, the antibiotic resistance task force, and the
 20 26 American federation of state, county and municipal employees,
 20 27 develop educational programs to increase awareness and
 20 28 utilization of infection control practices in institutions
 20 29 listed in section 904.102.

CODE: Requires the Department of Public Health to develop educational programs to increase awareness and utilization of infection control practices in correctional facilities. Requires the Department to consult with the DOC, the Antibiotic Resistance Task Force, and the American Federation of State, County, and Municipal Employees to develop the programs.

20 30 Sec. 21. Section 822.2, subsection 1, unnumbered paragraph
 20 31 1, Code 2007, is amended to read as follows:
 20 32 Any person who has been convicted of, or sentenced for, a
 20 33 public offense and who claims any of the following may
 20 34 institute ~~without paying a filing fee~~, a proceeding under
 20 35 this chapter to secure relief:

CODE: Conforms Chapter 822 (Postconviction Procedures) with Chapter 610A (Civil Litigation by Inmates and Prisoners) of the Code of Iowa.

FISCAL IMPACT: Most prisoners are indigent and are not required to pay a fee. Therefore, there is no fiscal impact.

21 1 Sec. 22. Section 904.108, subsection 4, Code 2007, is
 21 2 amended to read as follows:
 21 3 4. The director may expend moneys from the support
 21 4 allocation of the department as reimbursement for replacement
 21 5 or repair of personal items of the department's employees

CODE: Increases the reimbursement cap for repair or replacement of employee personal property to \$300, for damages caused by offenders while employees are on the job.

FISCAL IMPACT: Based on current claims for reimbursement, it is

21 6 damaged or destroyed by clients of the department during the
21 7 employee's tour of duty. However, the reimbursement shall not
21 8 exceed ~~one~~ three hundred ~~fifty~~ dollars for each item. The
21 9 director shall establish rules in accordance with chapter 17A
21 10 to carry out the purpose of this subsection.

anticipated that the prison system's operating costs will increase by less than \$10,000 annually.

21 11 Sec. 23. NEW SECTION . 904.118A CENTRAL WAREHOUSE FUND.

21 12 The department shall establish a fund for maintaining and
21 13 operating a central warehouse and supply depot and
21 14 distribution facility for surplus government products, canned
21 15 goods, paper products, other staples, and for such other items
21 16 as determined by the department. A department or agency of
21 17 the state or a political subdivision of this state may
21 18 purchase such products, goods, staples, or other items from
21 19 the central warehouse and supply depot. The fund shall be
21 20 permanent and shall be composed of the receipts from the sales
21 21 of merchandise and the recovery of handling, operating, and
21 22 delivery charges for such merchandise. Notwithstanding
21 23 section 8.33, moneys credited to the fund shall not revert to
21 24 any other fund. Notwithstanding section 12C.7, interest and
21 25 earnings on moneys deposited in the fund shall be credited to
21 26 the fund.

CODE: Creates a Central Warehouse Fund under the control of the DOC. Receipts to the Fund include payments from the DOC Institutions, other State agencies, or local governments that purchase products from the Warehouse. The ending balance remains in the Fund. Interest and earnings on deposits remain in the Fund.

FISCAL IMPACT: There is no direct impact to the General Fund. The new DOC warehouse will be self-supporting through receipts and fees, including payment of lease-purchase costs for constructing a new warehouse at the Newton Correctional Facility.

21 27 Sec. 24. NEW SECTION . 906.19 CERTIFICATES OF
21 28 EMPLOYABILITY.

21 29 1. As used in this section, "person" means a person on
21 30 parole or a person who is no longer on parole but is currently
21 31 unemployed or underemployed.

21 32 2. The board shall develop and implement a certificate of
21 33 employability program. The certificate program shall be
21 34 developed to maximize the opportunities for rehabilitation and
21 35 employability of a person and provide protection of the
22 1 community, while considering the needs of potential employers.

22 2 3. Issuance of a certificate of employability pursuant to
22 3 the program shall be based upon the successful completion of
22 4 designated programs and other relevant factors determined by

CODE: Requires the Board of Parole to develop and implement a Certificate of Employability Program by July 1, 2009 (FY 2010).

FISCAL IMPACT: The Board of Parole indicates this Program will cost \$57,000 to implement in FY 2010.

22 5 the board.

22 6 4. A person required to register under chapter 692A shall

22 7 be ineligible for the certificate of employability program.

22 8 5. The board shall develop and adopt rules pursuant to

22 9 chapter 17A for the implementation and administration of this

22 10 section.

22 11 HF 2660

22 12 jm/jg/25

Summary Data

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Justice System	\$ 468,079,957	\$ 522,292,068	\$ 528,938,158	\$ 528,938,158	\$ 528,938,158	\$ 6,646,090	
Grand Total	<u><u>\$ 468,079,957</u></u>	<u><u>\$ 522,292,068</u></u>	<u><u>\$ 528,938,158</u></u>	<u><u>\$ 528,938,158</u></u>	<u><u>\$ 528,938,158</u></u>	<u><u>\$ 6,646,090</u></u>	

Justice System

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Justice, Department of</u>							
Justice, Department of							
General Office A.G.	\$ 8,617,205	\$ 9,485,145	\$ 9,437,720	\$ 9,437,720	\$ 9,437,720	\$ -47,425	PG 1 LN 7
Victim Assistance Grants	5,000	150,000	150,000	150,000	150,000	0	PG 1 LN 21
Legal Services Poverty Grants	900,000	2,000,000	2,000,000	2,000,000	2,000,000	0	PG 2 LN 11
Farm Mediation Services	100,000	300,000	300,000	300,000	300,000	0	PG 2 LN 14
Children in Dissolution Proceedings Pilot Project	0	50,000	0	0	0	-50,000	
Total Justice, Department of	\$ 9,622,205	\$ 11,985,145	\$ 11,887,720	\$ 11,887,720	\$ 11,887,720	\$ -97,425	
Consumer Advocate							
Consumer Advocate	\$ 2,985,115	\$ 3,117,471	\$ 3,101,884	\$ 3,101,884	\$ 3,101,884	\$ -15,587	PG 3 LN 4
Total Justice, Department of	\$ 12,607,320	\$ 15,102,616	\$ 14,989,604	\$ 14,989,604	\$ 14,989,604	\$ -113,012	
<u>Civil Rights Commission</u>							
Civil Rights Commission							
Civil Rights Commission	\$ 1,165,322	\$ 1,504,036	\$ 1,504,036	\$ 1,504,036	\$ 1,504,036	\$ 0	PG 19 LN 10
Total Civil Rights Commission	\$ 1,165,322	\$ 1,504,036	\$ 1,504,036	\$ 1,504,036	\$ 1,504,036	\$ 0	
<u>Corrections, Department of</u>							
Community Based Corrections District 1							
CBC District I	\$ 11,634,090	\$ 12,706,033	\$ 13,103,903	\$ 13,103,903	\$ 13,103,903	\$ 397,870	PG 9 LN 15
Community Based Corrections District 2							
CBC District II	\$ 9,272,266	\$ 10,080,108	\$ 10,835,021	\$ 10,835,021	\$ 10,835,021	\$ 754,913	PG 9 LN 23
Community Based Corrections District 3							
CBC District III	\$ 5,503,671	\$ 5,903,401	\$ 5,914,624	\$ 5,914,624	\$ 5,914,624	\$ 11,223	PG 9 LN 26
Community Based Corrections District 4							
CBC District IV	\$ 4,954,395	\$ 5,419,406	\$ 5,435,240	\$ 5,435,240	\$ 5,435,240	\$ 15,834	PG 9 LN 29
Community Based Corrections District 5							
CBC District V	\$ 16,669,970	\$ 18,401,003	\$ 18,813,816	\$ 18,813,816	\$ 18,813,816	\$ 412,813	PG 9 LN 32
Community Based Corrections District 6							
CBC District VI	\$ 11,463,070	\$ 12,675,246	\$ 13,991,982	\$ 13,991,982	\$ 13,991,982	\$ 1,316,736	PG 10 LN 1
Community Based Corrections District 7							
CBC District VII	\$ 6,516,029	\$ 7,020,794	\$ 7,053,660	\$ 7,053,660	\$ 7,053,660	\$ 32,866	PG 10 LN 15

Justice System

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Community Based Corrections District 8							
CBC District VIII	\$ 6,554,177	\$ 6,998,544	\$ 7,066,926	\$ 7,066,926	\$ 7,066,926	\$ 68,382	PG 10 LN 18
Corrections-Central Office							
County Confinement	\$ 1,199,954	\$ 1,199,954	\$ 967,983	\$ 967,983	\$ 967,983	\$ -231,971	PG 5 LN 6
Federal Prisoners/ Contractual	241,293	241,293	241,293	241,293	241,293	0	PG 5 LN 11
Corrections Administration	4,333,699	5,050,732	5,050,732	5,050,732	5,050,732	0	PG 5 LN 23
Corrections Education	1,070,358	1,570,358	1,570,358	1,570,358	1,570,358	0	PG 6 LN 26
Iowa Corrections Offender Network	427,700	427,700	427,700	427,700	427,700	0	PG 7 LN 31
Mental Health/Substance Abuse	25,000	25,000	25,000	25,000	25,000	0	PG 7 LN 34
Hepatitis Treatment and Education	188,000	188,000	188,000	188,000	188,000	0	PG 8 LN 2
Transitional Housing - Comm. Based	20,000	30,000	0	0	0	-30,000	
Total Corrections-Central Office	\$ 7,506,004	\$ 8,733,037	\$ 8,471,066	\$ 8,471,066	\$ 8,471,066	\$ -261,971	
Corrections - Fort Madison							
Ft. Madison Institution	\$ 43,704,446	\$ 44,512,509	\$ 44,756,586	\$ 44,756,586	\$ 44,756,586	\$ 244,077	PG 3 LN 24
Corrections - Anamosa							
Anamosa Institution	\$ 30,108,164	\$ 30,656,614	\$ 31,428,054	\$ 31,428,054	\$ 31,428,054	\$ 771,440	PG 3 LN 28
Corrections - Oakdale							
Oakdale Institution	\$ 33,372,085	\$ 56,204,468	\$ 58,128,271	\$ 58,128,271	\$ 58,128,271	\$ 1,923,803	PG 4 LN 8
Corrections - Newton							
Newton Institution	\$ 26,962,398	\$ 27,841,158	\$ 27,978,941	\$ 27,978,941	\$ 27,978,941	\$ 137,783	PG 4 LN 12
Corrections - Mt Pleasant							
Mt. Pleasant Inst.	\$ 26,315,128	\$ 26,331,092	\$ 27,290,452	\$ 27,290,452	\$ 27,290,452	\$ 959,360	PG 4 LN 16
Corrections - Rockwell City							
Rockwell City Institution	\$ 8,820,356	\$ 9,108,454	\$ 9,262,685	\$ 9,262,685	\$ 9,262,685	\$ 154,231	PG 4 LN 20
Corrections - Clarinda							
Clarinda Institution	\$ 25,487,076	\$ 25,078,365	\$ 25,207,465	\$ 25,207,465	\$ 25,207,465	\$ 129,100	PG 4 LN 24
Corrections - Mitchellville							
Mitchellville Institution	\$ 15,449,597	\$ 15,878,663	\$ 15,935,768	\$ 15,935,768	\$ 15,935,768	\$ 57,105	PG 4 LN 33
Corrections - Fort Dodge							
Ft. Dodge Institution	\$ 28,559,289	\$ 29,773,151	\$ 29,823,711	\$ 29,823,711	\$ 29,823,711	\$ 50,560	PG 5 LN 2
Total Corrections, Department of	\$ 318,852,211	\$ 353,322,046	\$ 360,498,171	\$ 360,498,171	\$ 360,498,171	\$ 7,176,125	

Justice System

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Inspections & Appeals, Department of</u>							
Public Defender							
Public Defender	\$ 20,370,271	\$ 21,749,296	\$ 21,749,296	\$ 21,749,296	\$ 21,749,296	\$ 0	PG 13 LN 3
Indigent Defense Appropriation	25,163,082	31,282,538	31,282,538	31,282,538	31,282,538	0	PG 13 LN 8
Total Inspections & Appeals, Department of	\$ 45,533,353	\$ 53,031,834	\$ 53,031,834	\$ 53,031,834	\$ 53,031,834	\$ 0	
<u>Law Enforcement Academy</u>							
Law Enforcement Academy							
Law Enforcement Academy	\$ 1,225,985	\$ 1,289,562	\$ 1,283,115	\$ 1,283,115	\$ 1,283,115	\$ -6,447	PG 13 LN 13
Total Law Enforcement Academy	\$ 1,225,985	\$ 1,289,562	\$ 1,283,115	\$ 1,283,115	\$ 1,283,115	\$ -6,447	
<u>Parole, Board of</u>							
Parole Board							
Parole Board	\$ 1,177,849	\$ 1,256,273	\$ 1,249,992	\$ 1,249,992	\$ 1,249,992	\$ -6,281	PG 14 LN 11
Total Parole, Board of	\$ 1,177,849	\$ 1,256,273	\$ 1,249,992	\$ 1,249,992	\$ 1,249,992	\$ -6,281	
<u>Public Defense, Department of</u>							
Public Defense, Department of							
Public Defense, Department of	\$ 5,929,167	\$ 6,311,985	\$ 6,404,798	\$ 6,404,798	\$ 6,404,798	\$ 92,813	PG 14 LN 28
Civil Air Patrol	100,000	120,000	0	0	0	-120,000	
Total Public Defense, Department of	\$ 6,029,167	\$ 6,431,985	\$ 6,404,798	\$ 6,404,798	\$ 6,404,798	\$ -27,187	
Public Defense - Emergency Management Division							
Homeland Security & Emer. Mgmt.	\$ 1,601,033	\$ 2,271,581	\$ 2,271,581	\$ 2,271,581	\$ 2,271,581	\$ 0	PG 15 LN 5
Total Public Defense, Department of	\$ 7,630,200	\$ 8,703,566	\$ 8,676,379	\$ 8,676,379	\$ 8,676,379	\$ -27,187	

Justice System

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Public Safety, Department of							
Public Safety, Department of							
Public Safety Administration	\$ 3,806,840	\$ 4,180,033	\$ 4,455,581	\$ 4,455,581	\$ 4,455,581	\$ 275,548	PG 15 LN 28
Public Safety DCI	19,470,441	21,729,482	21,121,120	21,121,120	21,121,120	-608,362	PG 15 LN 33
DCI - Crime Lab Equipment/Training	342,000	342,000	342,000	342,000	342,000	0	PG 17 LN 5
Narcotics Enforcement	5,550,724	6,315,289	6,302,046	6,302,046	6,302,046	-13,243	PG 17 LN 8
Public Safety Undercover Funds	123,343	123,343	123,343	123,343	123,343	0	PG 17 LN 18
DPS Fire Marshal	2,767,566	3,328,952	3,991,394	3,991,394	3,991,394	662,442	PG 17 LN 21
Fire Service	704,110	836,508	0	0	0	-836,508	
Iowa State Patrol	46,106,927	50,210,762	50,353,777	50,353,777	50,353,777	143,015	PG 17 LN 32
DPS/SPOC Sick Leave Payout	316,179	316,179	316,179	316,179	316,179	0	PG 18 LN 20
Fire Fighter Training	699,587	699,587	699,587	699,587	699,587	0	PG 18 LN 25
Total Public Safety, Department of	\$ 79,887,717	\$ 88,082,135	\$ 87,705,027	\$ 87,705,027	\$ 87,705,027	\$ -377,108	
Total Justice System	\$ 468,079,957	\$ 522,292,068	\$ 528,938,158	\$ 528,938,158	\$ 528,938,158	\$ 6,646,090	

Summary Data

FTE

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Justice System	5,732.63	6,285.13	6,344.48	6,344.48	6,344.48	59.35	
Grand Total	<u>5,732.63</u>	<u>6,285.13</u>	<u>6,344.48</u>	<u>6,344.48</u>	<u>6,344.48</u>	<u>59.35</u>	

Justice System

FTE

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Justice, Department of</u>							
Justice, Department of							
General Office A.G.	195.42	226.50	226.50	226.50	226.50	0.00	PG 1 LN 7
Victim Compensation Fund	18.84	22.00	22.00	22.00	22.00	0.00	PG 1 LN 32
Total Justice, Department of	214.26	248.50	248.50	248.50	248.50	0.00	
Consumer Advocate							
Consumer Advocate	22.48	27.00	27.00	27.00	27.00	0.00	PG 3 LN 4
Total Justice, Department of	236.74	275.50	275.50	275.50	275.50	0.00	
<u>Civil Rights Commission</u>							
Civil Rights Commission							
Civil Rights Commission	24.61	29.00	29.00	29.00	29.00	0.00	PG 19 LN 10
Total Civil Rights Commission	24.61	29.00	29.00	29.00	29.00	0.00	
<u>Corrections, Department of</u>							
Community Based Corrections District 1							
CBC District I	199.00	199.50	201.50	201.50	201.50	2.00	PG 9 LN 15
Community Based Corrections District 2							
CBC District II	144.59	146.59	157.94	157.94	157.94	11.35	PG 9 LN 23
Community Based Corrections District 3							
CBC District III	79.79	81.99	81.99	81.99	81.99	0.00	PG 9 LN 26
Community Based Corrections District 4							
CBC District IV	74.00	75.00	75.00	75.00	75.00	0.00	PG 9 LN 29
Community Based Corrections District 5							
CBC District V	269.12	279.12	288.12	288.12	288.12	9.00	PG 9 LN 32
Community Based Corrections District 6							
CBC District VI	189.06	193.06	216.06	216.06	216.06	23.00	PG 10 LN 1
Community Based Corrections District 7							
CBC District VII	103.45	105.45	105.45	105.45	105.45	0.00	PG 10 LN 15
Community Based Corrections District 8							
CBC District VIII	94.05	97.15	97.15	97.15	97.15	0.00	PG 10 LN 18

Justice System

FTE

	Actual FY 2007	Estimated FY 2008	Senate Action FY 2009	House Action FY 2009	Final Action FY 2009	Final Action vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Corrections-Central Office							
Corrections Administration	43.46	47.18	47.18	47.18	47.18	0.00	PG 5 LN 23
Corrections - Fort Madison							
Ft. Madison Institution	523.06	556.50	556.50	556.50	556.50	0.00	PG 3 LN 24
Corrections - Anamosa							
Anamosa Institution	336.68	351.25	356.25	356.25	356.25	5.00	PG 3 LN 28
Corrections - Oakdale							
Oakdale Institution	334.61	610.50	610.50	610.50	610.50	0.00	PG 4 LN 8
Corrections - Newton							
Newton Institution	324.80	351.00	351.00	351.00	351.00	0.00	PG 4 LN 12
Corrections - Mt Pleasant							
Mt. Pleasant Inst.	293.92	314.56	319.56	319.56	319.56	5.00	PG 4 LN 16
Corrections - Rockwell City							
Rockwell City Institution	107.35	112.00	113.00	113.00	113.00	1.00	PG 4 LN 20
Corrections - Clarinda							
Clarinda Institution	294.36	303.20	303.20	303.20	303.20	0.00	PG 4 LN 24
Corrections - Mitchellville							
Mitchellville Institution	191.87	198.00	198.00	198.00	198.00	0.00	PG 4 LN 33
Corrections - Fort Dodge							
Ft. Dodge Institution	344.46	367.00	366.00	366.00	366.00	-1.00	PG 5 LN 2
Total Corrections, Department of	<u>3,947.62</u>	<u>4,389.05</u>	<u>4,444.40</u>	<u>4,444.40</u>	<u>4,444.40</u>	<u>55.35</u>	
<u>Inspections & Appeals, Department of</u>							
Public Defender							
Public Defender	198.71	202.00	203.00	203.00	203.00	1.00	PG 13 LN 3
Total Inspections & Appeals, Department of	<u>198.71</u>	<u>202.00</u>	<u>203.00</u>	<u>203.00</u>	<u>203.00</u>	<u>1.00</u>	
<u>Law Enforcement Academy</u>							
Law Enforcement Academy							
Law Enforcement Academy	27.27	30.05	30.05	30.05	30.05	0.00	PG 13 LN 13
Total Law Enforcement Academy	<u>27.27</u>	<u>30.05</u>	<u>30.05</u>	<u>30.05</u>	<u>30.05</u>	<u>0.00</u>	

Justice System

FTE

	Actual FY 2007 (1)	Estimated FY 2008 (2)	Senate Action FY 2009 (3)	House Action FY 2009 (4)	Final Action FY 2009 (5)	Final Action vs. Est 2008 (6)	Page and Line # (7)
<u>Parole, Board of</u>							
Parole Board							
Parole Board	13.71	17.50	18.50	18.50	18.50	1.00	PG 14 LN 11
Total Parole, Board of	13.71	17.50	18.50	18.50	18.50	1.00	
<u>Public Defense, Department of</u>							
Public Defense, Department of							
Public Defense, Department of	299.36	306.43	306.43	306.43	306.43	0.00	PG 14 LN 28
Public Defense - Emergency Management Division							
Homeland Security & Emer. Mgmt.	52.58	35.10	35.10	35.10	35.10	0.00	PG 15 LN 5
Total Public Defense, Department of	351.94	341.53	341.53	341.53	341.53	0.00	
<u>Public Safety, Department of</u>							
Public Safety, Department of							
Public Safety Administration	37.95	37.00	39.00	39.00	39.00	2.00	PG 15 LN 28
Public Safety DCI	260.35	289.50	286.50	286.50	286.50	-3.00	PG 15 LN 33
Narcotics Enforcement	68.86	82.00	82.00	82.00	82.00	0.00	PG 17 LN 8
DPS Fire Marshal	38.75	47.00	59.00	59.00	59.00	12.00	PG 17 LN 21
Fire Service	9.80	10.00	0.00	0.00	0.00	-10.00	
Iowa State Patrol	516.30	535.00	536.00	536.00	536.00	1.00	PG 17 LN 32
Total Public Safety, Department of	932.01	1,000.50	1,002.50	1,002.50	1,002.50	2.00	
Total Justice System	5,732.63	6,285.13	6,344.48	6,344.48	6,344.48	59.35	